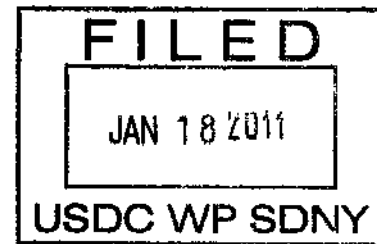


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



JULIA NASSER,

Plaintiff,

-against-

NATIONWIDE CREDIT, INC.,

Defendant.

VERIFIED COMPLAINT and DEMAND
FOR JURY TRIAL

'11 CIV 00336

JUDGE MOTZ

NOW COMES Plaintiff, Julia Nasser ("Plaintiff"), by and through her attorneys, Krohn & Moss, Ltd., for her Verified Complaint against Defendant, Nationwide Credit, Inc., ("Defendant"), alleges as follows:

Nature of the Action

1. This action is brought by Plaintiff pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.* ("FDCPA").

Parties

2. Plaintiff is a natural person residing in Walden, Orange County, New York.
3. Plaintiff is allegedly obligated to pay a debt and is a consumer as defined by 15 U.S.C. § 1692a(3).
4. Defendant is a collection agency with a business office in Kennesaw, Georgia.
5. Defendant is a debt collector as defined by 15 U.S.C. § 1692a(6), and sought to collect a consumer debt from Plaintiff.

6. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives and insurers.

Jurisdiction and Venue

7. Jurisdiction of this court arises pursuant to 15 U.S.C. § 1692k(d), which states that such actions may be brought and heard before “any appropriate United States district court without regard to the amount in controversy.”

8. Because Defendant conducts business in the state of New York, personal jurisdiction is established.

9. Venue is proper pursuant to 28 U.S.C. § 1391(b)(2).

Factual Allegations

10. Defendant is attempting to collect a consumer debt from Plaintiff.

11. Plaintiff’s debt arises from transactions for personal, family, and household purposes.

12. Within the last year, Defendant placed multiple collection calls to Plaintiff’s cell phone.

13. Within the last year, Defendant left multiple voicemail messages on Plaintiff’s cell phone seeking location information for Plaintiff (*See Exhibit A hereto*).

14. Within the last year, Defendant left voicemail messages on Plaintiff’s cell phone attempting to collect a debt from Plaintiff (*See Exhibit A*).

15. Within the last year, despite the fact that Defendant knew that the cell phone number Defendant called was Plaintiff’s number, Defendant left voicemail messages for Plaintiff that failed to properly disclose the caller’s identity (*See Exhibit A*).

16. Within the last year, despite the fact that Defendant knew that the cell phone number Defendant called was Plaintiff's number, Defendant left voicemail messages for Plaintiff that failed to state the communication was from a debt collector (*See Exhibit A*).

CLAIM FOR RELIEF

17. Defendant's violations of the FDCPA include, but are not limited to, the following:

- a. Defendant violated §1692d of the FDCPA by engaging in conduct the natural consequence of which was to harass, oppress, or abuse Plaintiff;
- a. Defendant violated §1692d(6) of the FDCPA by placing telephone calls without meaningful disclosure of the caller's identity;
- b. Defendant violated §1692e of the FDCPA by using false, deceptive, or misleading representations or means in connection with the collection of a debt;
- a. Defendant violated §1692e(10) of the FDCPA by using deceptive means in an attempt to collect a debt;
- b. Defendant violated §1692e(11) of the FDCPA by failing to disclose in subsequent communications that the communication was from a debt collector.

18. Plaintiff is entitled to his attorney's fees and costs incurred in this action.

WHEREFORE, Plaintiff prays that judgment be entered against Defendant for the following:

- (1) Statutory damages of \$1,000.00, pursuant to 15 U.S.C. § 1692k;
- (2) Reasonable attorneys' fees, costs pursuant to 15 U.S.C. § 1692k; and
- (3) Awarding such other and further relief as may be just, proper and equitable.

Dated: January 7, 2011

KROHN & MOSS, LTD.

By: 

Adam T. Hill
KROHN & MOSS, LTD.
120 W. Madison St., 10th Fl.
Chicago, Illinois 60602
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Telefax: 866-289-0898
ahill@consumerlawcenter.com
Attorneys for Plaintiff

DEMAND FOR JURY TRIAL

PLEASE TAKE NOTICE that Plaintiff, Julia Nasser, hereby demands a jury trial in this matter.

VERIFICATION

STATE OF NEW YORK)

COUNTY OF ORANGE)

Plaintiff, JULIA NASSER, states as follows:

1. I am the Plaintiff in this civil proceeding;
2. I have read the foregoing Verified Complaint prepared by my attorneys and I believe that all of the facts contained therein are true and correct, to the best of my knowledge, and formed after reasonable inquiry;
3. I believe that this civil Complaint is well ground in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law;
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this Complaint in good faith and solely for the purposes set forth in it;
6. Each and every exhibit I have provided to my attorneys, which has/have been attached to this Complaint, is/are true and correct copy(s) of the original(s); and
7. Except for clearly indicated redactions made by my attorneys where appropriate, I have not altered, changed, modified or fabricated the exhibit(s), except that some of the attached may contain some of my own handwritten notations.

Pursuant to 28 U.S.C. § 1746(2), I, JULIA NASSER, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

Dated: 12-17-2010

Julia Nasser
JULIA NASSER

EXHIBIT A

NASSER V. NATIONWIDE CREDIT, INC.

This is _____. I am calling to confirm location information concerning Julia Nasser. Call me at 1-800-441-0377.

This is _____. I am calling to confirm location information concerning Julia Nasser. Please call me at 1-800-441-0377.

This is Justin Loggins calling to confirm location information concerning Julia Nasser. Please do call me back at 1-800-441-0377.

Hi, this is _____. I am calling to confirm location information concerning Julia Nasser. Please return my call at 1-800-441-0377. I repeat the number it is 1-800-441-0377. Thank you and have a good day.

November 13, 2010

This is a message for Julia Nasser. If you are not Julia Nasser, please hang up or disconnect. By continuing to listen to this message, you are acknowledge you are Julia Nasser _____. This is Justin Lawrence from Nationwide Credit. This is an attempt to collect a debt and any information obtained will be used for that purpose _____.

November 13, 2010

_____ calling to confirm location information about Julia Nasser. You need to call me at 1-800-441-0377.

This is _____. I am calling to confirm location information concerning Julia Nasser. Please call me at 1-800-441-0377.

This message is for Julia Nasser If you are not Julia Nasser, please hang up or disconnect. By continuing to listen to this message, you are acknowledge you are Julia Nasser _____. This message contains personal and private information so you should listen to it in private. There will now be a three-second pause in this message to give you an opportunity to ensure your privacy _____. This is Justin Lawrence from Nationwide Credit and I am calling _____. This is an attempt to collect a debt and any information obtained will be used for that purpose. Please call me at 1-800-441-0377.

Hi, this is Adam Michael calling to confirm location information concerning Julia Nasser. Call me at 1-800-441-0377.

Hi, this is _____. I am calling to confirm location information concerning Julia Nasser. Please call me at 1-800-441-0377.

Hi, this is _____ calling to confirm location information concerning Julia Nasser. Call me at 1-800-441-0377 at extension 5540. Again that number is 1-800-441-0377 at extension 5540.

Hi, this is _____ calling to confirm location information concerning Julia Nasser. Please return my Call at 1-800-441-0377. I repeat 1-800-441-0377.